

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3
4 Ronald Wayne Collins,

Case No. 2:21-cv-01515-JAD-NJK

5 Plaintiff

6 v.

Order Dismissing Case

7 Nevada Department of Corrections, et al.,

8 Defendants

9 Plaintiff Ronald Wayne Collins brought this civil-rights action under 42 U.S.C. § 1983,
10 claiming that his civil rights were violated during his time at High Desert State Prison. On May
11 4, 2022, I screened Collins's first amended complaint and dismissed it with leave to amend for
12 failure to comply with Federal Rules of Civil Procedure 8, 10, 18, and 20.¹ I also denied
13 Collins's motion for leave to file a second amended complaint, denied his application to proceed
14 *in forma pauperis*, and gave him until June 3, 2022, to pay the full filing fee and file a third
15 amended complaint.²

16 Collins now files a motion for voluntary dismissal.³ Under Federal Rule of Civil
17 Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing "a notice of
18 dismissal before the opposing party serves either an answer or a motion for summary
19 judgment."⁴ I grant Collins's motion to voluntarily dismiss this action because no responsive
20 pleading has been filed in this case. Thus, I dismiss this action without prejudice.

21 _____
22 ¹ ECF No. 7 at 9.

23 ² *Id.* at 8–9.

³ ECF No. 11.

⁴ Fed. R. Civ. P. 41(a)(1)(A)(i).

1 IT IS THEREFORE ORDERED that:

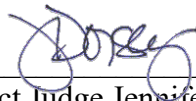
- 2 • Collins's motion for voluntary dismissal [ECF No. 11] is **GRANTED**; and
- 3 • Collins's motion for clarification [ECF No. 10] is **DENIED AS MOOT**.

4 IT IS FURTHER ORDERED that this action is dismissed in its entirety without

5 prejudice.

6 IT IS FURTHER ORDERED that the Clerk of the Court is directed to close this case.

7 Dated: June 16, 2022

8 
9 _____
U.S. District Judge Jennifer A. Dorsey